

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2018

tion of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Allocation to the Treasurer of State. The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2018 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2018. Five million dollars of the state ceiling for calendar year 2019 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$40,000,000 of the state ceiling on private activity bonds for calendar year 2018 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2018. Forty million dollars of the state ceiling for calendar year 2019 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

Sec. 3. Allocation to the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling on private activity bonds for calendar year 2018 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2018. Ten million dollars of the state ceiling for calendar year 2019 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to the Finance Authority of Maine as successor to the Maine Educational Loan Authority. The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2018 previously allocated to the Finance Authority of Maine as successor to the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with Public Law 2015, chapter 170 and with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2018. Fifteen million dollars of the state ceiling for calendar year 2019 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2018 previously allocated to the Maine State Housing

Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2018. Fifty million dollars of the state ceiling for calendar year 2019 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Unallocated state ceiling. One hundred ninety-one million three hundred seventy-five thousand dollars of the state ceiling on private activity bonds for calendar year 2018 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred ninety-one million three hundred seventy-five thousand dollars of the state ceiling for calendar year 2019 is unallocated and must be reserved for future allocation in accordance with applicable laws.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 23, 2018.

CHAPTER 13

S.P. 681 - L.D. 1814

An Act To Amend the Charter of the Lisbon Water Department

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 1903, c. 241, §6, 2nd ¶, as repealed and replaced by P&SL 2005, c. 43, Pt. A, §1 and affected by Pt. B, §1, is amended to read:

The Board of Water Commissioners consists of 3 water commissioners, all of whom must be residents of the Town of Lisbon and are elected at the annual municipal election for a term of 3 years. The term of a water commissioner elected after July 1, 2006 and before November 8, 2017 runs from July 1st of the year following the election to June 30th of the 3rd year following commencement of the term. The term of a water commissioner elected after November 7, 2017 runs from December 1st of the year of the election to November 30th of the 3rd year following commencement of the term.

Sec. 2. Transition. Notwithstanding Private and Special Law 1903, chapter 241, section 6, as amended:

1. The water commissioner of the Lisbon Water Department elected on November 7, 2017 serves for a term that runs from July 1, 2018 to November 30, 2020;

2. The term of the water commissioner whose successor is to be determined at an election held in 2018 ends November 30, 2018; and

3. The term of the water commissioner whose successor is to be determined at an election held in 2019 ends November 30, 2019.

See title page for effective date.

CHAPTER 14

H.P. 1023 - L.D. 1484

An Act Authorizing the Deorganization of the Town of Atkinson

Be it enacted by the People of the State of
Maine as follows:

PART A

Sec. A-1. Deorganization of the Town of Atkinson. Notwithstanding any contrary requirement of the Maine Revised Statutes, Title 30-A, chapter 302, if in accordance with Title 30-A, section 7207 a majority of the voters in the Town of Atkinson approve the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the question of the Town of Atkinson's deorganization is approved by the registered voters of the Town of Atkinson pursuant to section 8 of this Part and if the Town of Atkinson has executed a withdrawal agreement with School Administrative District No. 41 or Regional School Unit No. 41, the Town of Atkinson in Piscataquis County is deorganized, except that the corporate existence, powers, duties and liabilities of the municipality survive for the purposes of prosecuting and defending all pending suits to which the municipality is, or may be, a party and all needful process arising out of any suits, including provisions for the payment of all or any judgments or debts that may be rendered against the municipality or exist in favor of any creditor.

Sec. A-2. Financial obligations and other liabilities. Any financial obligations or other liabilities that were incurred by the Town of Atkinson as a municipality or that were incurred by the Town of Atkinson as a member of School Administrative District No. 41 or Regional School Unit No. 41 are hereby excepted and reserved in accordance with the Maine Revised Statutes, Title 30-A, section 7303 and remain liabilities for the inhabitants of lawful age residing in the territory included in the deorganized Atkinson Township for the duration of the liabilities. The State Tax Assessor shall assess taxes against the property owners in the deorganized Atkinson Township to provide funds to satisfy any municipal or educational obligations or other liabilities. These financial obliga-

tions or other liabilities are not the responsibility of either the Department of Education or the taxpayers in the Unorganized Territory Tax District as described in Title 36, chapter 115.

Sec. A-3. Deorganization procedure. The deorganization of the Town of Atkinson must be conducted in accordance with the approved deorganization procedure for the municipality dated June 15, 2016 that was developed in accordance with the Maine Revised Statutes, Title 30-A, section 7205, and approved by a majority of municipal voters as required in Title 30-A, section 7207, subsection 2.

Sec. A-4. Unexpended school funds. The treasurer of the Town of Atkinson or any other person who has custody of the funds of the municipality shall pay the Treasurer of State all unexpended school funds that, together with the credits due the municipality for school purposes, are to be used by the State Tax Assessor to settle any school obligations incurred by the municipality before deorganization. The State Tax Assessor shall approve any written requests or invoices for payments and submit the approved documents to the fiscal administrator of the unorganized territory within the Office of the State Auditor to process through the Office of the State Controller. Any unexpended school funds remaining with the Treasurer of State after all the obligations have been met must be deposited to the Unorganized Territory Education and Services Fund, as established in the Maine Revised Statutes, Title 36, chapter 115.

Sec. A-5. Unexpended municipal funds and property. The treasurer of the Town of Atkinson or any other person who has custody of the funds of the municipality shall pay the Treasurer of State all unexpended funds of the municipality that, together with the credits due the municipality for its purposes, are to be used by the State Tax Assessor to settle any obligations of the municipality incurred by the municipality before deorganization. The State Tax Assessor shall approve any written requests or invoices for payments and shall submit the approved documents to the fiscal administrator of the unorganized territory within the Office of the State Auditor to process through the Office of the State Controller. Pursuant to the Maine Revised Statutes, Title 30-A, section 7304, at the end of the 5-year period during which the powers, duties and obligations relating to the affairs of the municipality are vested in the State Tax Assessor or when in the judgment of the State Tax Assessor final payment of all known obligations against the municipality has been made, any funds that have not been expended must be deposited with the county commissioners of Piscataquis County as undedicated revenue for the unorganized territory fund of Piscataquis County.

Any property of the municipality that has not been sold must be held by the State in trust for the unorgan-